

# STAFF REPORT TO COUNCIL

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**DATE:** March 16, 2022

**TO:** MAYOR AND COUNCIL

**NAME AND TITLE:** Deanna Wasnik, Director of Planning and Development

**SUBJECT:** Rezoning Application No. RZ100740 (Bylaw No. 9280, 2022)

**APPLICANT:** Prayfast Holding Limited for the City of Prince George  
**LOCATION:** 1980 5<sup>th</sup> Avenue

**ATTACHMENT(S):** Location and Existing Zoning Map  
 Appendix "A" to Bylaw No. 9280

## RECOMMENDATION(S):

THAT Council:

1. GIVES First and Second Reading to "City of Prince George Zoning Bylaw No. 7850, 2007, Amendment Bylaw No. 9280, 2022"; and
2. PERMITS that consideration of Final Reading of proposed Bylaw No. 9280 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
  - a. Receipt of a Servicing Brief.
  - b. Registration of a Section 219 Covenant on the legal title of Parcel E (PG28140), Block 126, District Lot 343, Cariboo District, Plan 1268, Except Plan 37328 that restricts symmetrical façades and secondary suites for two-unit housing.

In addition, any recommendations presented in the preceding items must be addressed to the satisfaction of the Director of Planning and Development.

## PURPOSE:

The applicant has proposed to rezone the subject property located at 1980 5<sup>th</sup> Avenue from RS4: Urban Residential to RT2: Two-Unit Residential, as shown on Appendix "A" to Bylaw No. 9280. The purpose of this application is to facilitate the development of a two-unit house (duplex) on the subject property.

## Site Characteristics

Location	1980 5th Avenue
Legal Description	Parcel E (PG28140), Block 126, District Lot 343, Cariboo District, Plan 1268, Except Plan 37328
Current Use	Vacant Land
Site Area	702 m <sup>2</sup> (0.17 acres)

Growth Management Class	Growth Priority
Servicing	Services Available

Zoning (see Appendix “A” to Bylaw No. 9280)

Current Zoning	RS4: Urban Residential
Proposed Zoning	RT2: Two-Unit Residential

Surrounding Land Use Table

North	Laneway; Multiple Residential
South	4 <sup>th</sup> Avenue; Single Residential
East	Single Residential
West	5 <sup>th</sup> Avenue; Cassiar Street

**POLICY / REGULATORY ANALYSIS:**

**Official Community Plan**

Future Land Use

The subject property is designated as Neighbourhood Residential Corridor in Schedule B-6: Future Land Use of the Official Community Plan (OCP). Neighbourhood designations are primarily residential in nature, with associated schools and parks located within these designated areas. This designation also encourages higher density residential developments along collector and arterial streets (5<sup>th</sup> Avenue), and supports the proposed infill and redevelopment of underutilized locations (OCP Policy 8.3.45).

The applicant is proposing to develop a two-unit house (duplex) on a vacant and underutilized property. This application will also facilitate a residential use that will accommodate two dwellings along 5<sup>th</sup> Avenue. Administration supports this application, as the proposed two-unit house is consistent with the Neighbourhood Residential Corridor designation and OCP Policy.

Growth Management

The subject property is designated as Growth Priority in Schedule B-4: Growth Management of the OCP. The intent of this designation is to prioritize infill development and encourage utilization of vacant sites (OCP Policy 8.1.1).

The applicant’s proposal is consistent with the Growth Priority designation. The proposed two-unit housing is considered infill development that will be constructed on a vacant property. Administration supports this application, as it is consistent with the Future Land Use and Growth Management policy direction identified by the OCP.

**Zoning Bylaw**

The subject property is currently zoned RS4: Urban Residential which is intended to accommodate single detached housing on lots with lane access, and provides complementary uses that are compatible with the residential character of the area.

The applicant has applied to rezone the subject property from RS4 to RT2: Two-Unit Residential, as shown on Appendix “A” to Bylaw No. 9280. The intent of the RT2 zone is to provide for housing, primarily in buildings with two dwellings. Table 1 below provides a comparison between the RS4 and RT2 zones.

**Table 1: Zoning Comparison of RS4 and RT2**

Regulations	RS4: Urban Residential	RT2: Two-Unit Residential
Principal Uses	<ul style="list-style-type: none"> <li>• Community Care Facility, Minor</li> <li>• Housing, Single Detached</li> </ul>	<ul style="list-style-type: none"> <li>• Community Care Facility, Minor</li> <li>• Housing, Single Detached</li> <li>• Housing, Two-Unit</li> </ul>
Secondary Uses	<ul style="list-style-type: none"> <li>• Home Business 1 &amp; 2</li> <li>• Secondary Dwelling</li> <li>• Secondary Suite</li> </ul>	<ul style="list-style-type: none"> <li>• Bed &amp; Breakfast</li> <li>• Home Business 1 &amp; 2</li> <li>• Secondary Suite, only in Single Detached Housing</li> </ul>
Site Coverage	40%	45%
Max. Height	10.0 m	10.0 m
Min. Front Yard Setback	4.5 m	4.5 m
Min. Interior Side Yard Setback	1.2 m	1.2 m
Min. Rear Yard Setback	6.0 m	6.0 m

As identified in Table 1, the RS4 zone permits either a single detached house with a secondary suite or a single detached house with a detached secondary dwelling (totaling two dwellings). Alternatively, the proposed RT2 zone allows for either a single detached house with a secondary suite, or a two-unit house. The density in both zones would allow for a maximum of two dwellings on the subject property. Additionally, both zones also permit the same height and setbacks for any proposed principal development, single detached or two-unit housing.

Should the proposed rezoning be approved, the RT2 zone will allow for either a single detached house with a secondary suite, or a two-unit house (no secondary suites). As identified in Table 1, both zones will permit the same building height, setbacks and comparable site coverage for any proposed development, single detached or two-unit housing. The proposed two-unit housing is also consistent with the adjacent residential uses being a mix of multiple residential and single-family residential developments to the north, south, east and west.

As the proposed RT2 zone allows for a residential density of two units, and is consistent with policy direction of the OCP, Administration does not anticipate any concerns with this application.

**OTHER CONSIDERATIONS:**

**Referrals**

This application was referred to internal City divisions and external agencies for comments. The following comments were received during the referral process.

Title

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this application.

Transportation Engineering

Driveway crossings onto arterial roads (5<sup>th</sup> Avenue) shall not be permitted when other means of access is available from a laneway. At the Building Permit stage, the Site Plan drawing will be reviewed to ensure access is from the laneway only.

### Servicing Brief

A Servicing Brief prepared and sealed by a Professional Engineer registered in the Province of British Columbia is required. The Servicing Brief will address technical issues related to water supply, sanitary sewer collection, and storm drainage system designs.

Administration recommends that Final Reading of Bylaw No. 9280 be withheld until a Servicing Brief has been prepared and submitted to the satisfaction of Administration.

### Section 219 Covenant

The applicant has indicated that they will register a Section 219 Covenant on title of the subject property prior to Final Reading of Bylaw No. 9280. This covenant would ensure the construction of the proposed two-unit house is asymmetrical and looks like two distinct dwellings (i.e., varying roof lines and using multiple materials for the exterior finish). Additionally, the covenant will restrict secondary suites from two-unit housing.

Administration recommends that Final Reading of Bylaw No. 9280 be withheld until the Section 219 Covenant(s) that restrict symmetrical facades and secondary suites from two-unit housing is submitted to Administration's satisfaction and registered on the title of the subject property.

### Ministry of Transportation and Infrastructure

As per Section 52 of the *Transportation Act*, Bylaw No. 9280 requires the Ministry of Transportation and Infrastructure's approval prior to Final Reading and adoption.

### **Council Procedures and Statutory Notification**

In accordance with section 464(2) of the *Local Government Act*, a public hearing regarding this application will not be held as the proposed bylaw is consistent with the "City of Prince George Official Community Plan Bylaw No. 8383, 2011."

As per the requirements set out in the *Local Government Act* and "City of Prince George Development Procedures Bylaw No. 7635, 2005", in advance of First and Second Reading of the proposed bylaw, the City of Prince George will mail or otherwise deliver a notice to adjacent property owners and tenants whose interests in property may be affected by this application.

In response to the public notice for this application, written comments received from members of the public regarding this application will be provided to Council for their consideration in advance of their consideration of first and second reading of the proposed bylaw. Additional information regarding written submissions to Council can be found on the [City's website](#).

### **ALTERNATIVES:**

1. Approve the bylaw
2. Approve the bylaw as amended
3. Refuse the bylaw
4. Defer or otherwise deal with the bylaw

Administration recommends that Bylaw No. 9280, 2022 be approved.

**SUMMARY AND CONCLUSION:**

The applicant is proposing to rezone the subject property from RS4: Urban Residential to RT2: Two-Unit Residential, as shown on Appendix "A" to Bylaw No. 9280. The purpose of this application is to facilitate the development of a two-unit house on the subject property. Administration is supportive of this application for the reasons outlined in this report.

**RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Director of Planning and Development

**PREPARED BY:** Kali Holahan, Acting Supervisor of Planning

**APPROVED:**

Adam Davey, Acting City Manager

Meeting Date: 2022/04/11